

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 1827 - SB 2342

June 2, 2020

SUMMARY OF ORIGINAL BILL: Requires publishers to make all textbooks and instructional materials proposed for adoption available on the Department of Education's (DOE) or the state's textbook depository's website for inspection online by local education agency (LEA) and the public.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (017882): Deletes all language after the enacting clause. Requires publishers to make all textbooks and instructional materials proposed for adoption available for inspection by LEAs and public online, which may include access via the state textbook depository website. Authorizes an LEA to use English language arts (ELA) textbooks and instructional materials approved by the State Board of Education (SBE) for students in grades kindergarten through two (K-2) to provide ELA instruction for students in the third grade if the Commissioner of DOE grants the LEA a waiver. Requires the Commissioner of DOE to grant an LEA a waiver for the use of ELA textbooks and instructional materials in the third grade if certain conditions are met. Requires the Commissioner of DOE to accept and consider waiver requests submitted by LEAs through December 31, 2020, or a later date determined by the Commissioner. Requires the Commissioner to post the deadline for LEAs to submit waiver requests on DOE's website and to include the deadline in any waiver-related communication between DOE and LEAs. Requires the State Textbook and Instructional Materials Quality Commission to maintain independence from DOE.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Current law requires publishers to make all textbooks and instructional materials proposed for adoption available for inspection by LEAs and the public.

- Requiring such textbooks and materials to be made available online will not impact state or local operations as the proposed legislation codifies current practice.
- It is assumed that the use of textbooks and instructional materials approved by (SBE) for students in grades kindergarten through two (K-2) to provide ELA instruction for students in the third grade will not have a significant impact on local expenditures.
- The proposed legislation authorizes LEAs to use K-2 ELA textbooks and instructional materials for students in the third grade if authorized by the Commissioner of DOE.
- It is reasonably assumed that the Commissioner would not grant a waiver that would violate any contracts between schools and publishers or that could result in any legal action against the state.
- The proposed legislation does not affect current contracts and it is expected that any cost savings or increased expenditures may vary across contract cycles. Therefore, the impact to local government is not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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